

Appl. No. 10/083,001
Amdt. dated April 8, 2004
Reply to Office Action of February 11, 2004

REMARKS

This is responsive to the final Office Action dated February 11, 2004 in which claims 1-30 and 32-33 were examined. As a result of this amendment, claims 1-30 and 32-33 remain pending in this application.

The Office Action indicates that claims 5, 12-26, 30 and 33 are allowed and that claims 2, 4 and 7-11 were objected to as being dependent upon a rejected base claim but otherwise allowable. Applicant greatly appreciates the allowance and/or indication of allowance of the subject matter of these claims. As a result, Applicant has amended claim 2 to be placed in independent form to include the subject matter of the associated base claim. Claims 4 and 7-11 have been amended to depend directly or indirectly from now independent claim 2. Claim 6 likewise has been amended to depend directly from now independent claim 2. As a result, Applicant respectfully asserts that each of these claims are now in condition for allowance.

Claims 1, 3, 6, 27-29 and 32 were rejected as being anticipated by or unpatentably obvious in view of U.S. Patent No. 5,292,020 issued to Narin. Of these rejected claims, nos. 1, 3 and 27 are the only independent claims. These independent claims have been amended herein to specifically define a patentably novel and non-obvious feature of Applicant's invention relative to the Narin invention and the other prior art of record. As previously stated, dependent claim 6 has been amended to depend directly from claim 2 which was indicated to be allowable. Claims 28-29 and 32 each

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depend directly from claim 27 and are therefore patentable over Narin for the same reasons as independent claims 1, 3 and 27 as discussed herein below.

With respect to the alleged anti-backoff member in Narin, Applicant has amended independent claims 1, 3 and 27 to distinguish this reference. Specifically, the alleged anti-backoff member in Narin is identified by reference numeral 44 as a protuberance, rib or bead. However, the shape, configuration and resulting function of the anti-backoff member of Applicant's invention is distinguishable from the bead 44 in Narin which is not flexible and does not deflect when it engages the container threading. The Narin bead 44 is designed for compression and not flexure. Its mound-like shape is consistent with this compression mode of operation.

On the other hand, Applicant's anti-backoff member is designed for flexing or bending and, as a result is wider than it is thick to promote the flexibility of this member. Figs. 3D and 5B of Applicant's specification specifically show the flexible anti-backoff member deflecting to engage the container threading. Figs 5A and 6 show the thickness and width relationship of this member.

Narin fails to teach, disclose or otherwise suggest that the bead 44 is flexible or deflects when in contact with the container threading. Moreover, the configuration of bead 44 is thicker than it is wide as shown in Fig. 2 of Narin. Additionally, Narin does not teach that the bead 44 is flexible and the shape of the bead 44 is contrary to a flexible engagement with the threads as shown in Figs. 3D and 5B of Applicant's specification.

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The thick base and short width of bead 44 inhibits flexibility, unlike member 36 in Applicant's invention. Therefore, this design feature has been added to independent claims 1, 3 and 27 to distinguish the Narin reference and overcome the associated rejections in the Office Action.

Claims 28, 29 and 32 are each dependent upon claim 27 and have each been amended herein to provide additional distinguishing features over the Narin reference. The thickness of the bead 44 in Narin is variable; whereas claims 28 and 29 require the thickness of Applicant's anti-backoff member to be generally constant. Additionally, the Narin bead 44 is rounded or bulbous and claim 32 requires the anti-backoff member to be generally planar. None of the features added to claims 28, 29 and 32 herein are disclosed, taught or suggested in Narin.

As a result of the amendments to the claims and the remarks given herein, Applicant respectfully asserts that each of the rejections identified in the Office Action have been overcome. As such, Applicant respectfully requests reconsideration and allowance of claims 1-30 and 32-33 at the Examiner's earliest convenience. If the Examiner feels that any matter in this case requires further attention prior to issuing a Notice of Allowance, she is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. Moreover, Applicant respectfully requests that this amendment be

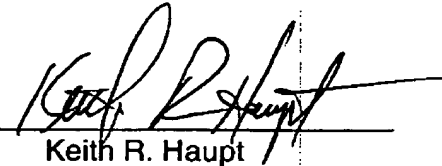
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entered pursuant to 37 CFR § 1.116 in that it places the claims in condition for allowance
and/or better condition for appeal, if needed.

Respectfully submitted,

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